

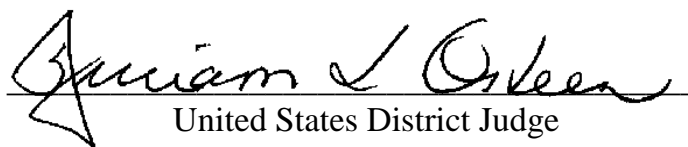
**IN THE UNITED STATES DISTRICT COURT  
FOR THE MIDDLE DISTRICT OF NORTH CAROLINA**

<b>MELVIN LEWIS CARROLL,</b>	)	
	)	
<b>Petitioner,</b>	)	
	)	<b>1:05CV01151</b>
<b>v.</b>	)	<b>1:03CR190-1</b>
	)	
<b>UNITED STATES OF AMERICA,</b>	)	
	)	
<b>Respondent.</b>	)	

**J-U-D-G-M-E-N-T**

For the reasons set forth in the Order filed contemporaneously with this Judgment,

**IT IS HEREBY ORDERED AND ADJUDGED** that Respondent's motion to dismiss this action for being filed beyond the one-year limitation period [Pleading No. 5] be **GRANTED**, that Petitioner's motion to vacate, set aside or correct sentence [Pleading No. 1] be **DENIED**, and that this action be, and the same hereby is, dismissed with prejudice. Finding no substantial issue for appeal concerning the denial of a constitutional right affecting the conviction, nor a debatable procedural ruling, a certificate of appealability is not issued.

  
United States District Judge

Date: September 29, 2006